

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONTEX CORPORATION

Plaintiff,

v.

NIKE, INC.,

Defendant.

Civil Action No. 2:18-cv-05623-MMB

**JOINT STATUS REPORT**

Counsel for Plaintiff Lontex Corporation (“Lontex”) and for Defendant NIKE, Inc. (“NIKE”) respectfully submit this joint status report pursuant to the January 22, 2020 party-agreed and Court-approved temporary protocol governing discovery from Lontex’s customers.

To date, NIKE has effectively served subpoenas on 10 Lontex customers, with 4 additional subpoenas currently out for service. Of the 10 Lontex customers served to date:

- 2 produced responsive photographs of the “Sweat it Out” care labels sewn inside the Lontex garments;
- 1 brought garments to NIKE’s counsel’s office and agreed to produce responsive photographs of the care labels sewn inside the Lontex garments;
- 4 responded that they no longer possess the relevant Lontex garments or were continuing to search for the garments; and
- 3 have not yet responded.

The parties have conferred and agreed that, subject to the Court’s approval, the temporary protocol shall be extended on the same terms for another 14-day period to permit NIKE to continue its discovery efforts to receive responsive information from at least 10 Lontex customers. If the Court so approves, the parties shall, by 12:00 PM ET on February 20, 2020, report their progress in a joint status report to be e-mailed to the Court.

The parties remain available, at the Court’s convenience, to answer any questions.

Respectfully submitted,

Dated: February 6, 2020

TROUTMAN SANDERS LLP

By: Ben L. Wagner

Ben L. Wagner (admitted *pro hac vice*)  
ben.wagner@troutman.com  
11682 El Camino Real, Suite 400  
San Diego, CA 92130-2092  
Telephone: 858-509-6000  
Facsimile: 858 509 6040

*Attorneys for Plaintiff Lontex Corporation*

Dated: February 6, 2020

DLA PIPER LLP (US)

By: Gina L. Durham

Gina L. Durham (admitted *pro hac vice*)  
555 Mission Street, Suite 2400  
San Francisco, CA 94105

Frank W. Ryan (admitted *pro hac vice*)  
Andrew J. Peck (admitted *pro hac vice*)  
Marc E. Miller (admitted *pro hac vice*)  
1251 Avenue of the Americas  
New York, NY 100201

Darius C. Gambino  
Ben C. Fabens-Lassen  
1650 Mark Street, Suite 5000  
Philadelphia, PA 19103

*Attorneys for Defendant NIKE, Inc.*

ORDER  
Approved. Exemption granted to  
file joint or separate status reports  
to February 27, 2020  
vsoj 2/10/20